

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI

IN RE:

IN PROCEEDINGS FOR A PLAN  
UNDER CHAPTER 13

MARY MARGARET CROOKS

CASE NO. 05-71032-3-13

**MOTION TO DISMISS - FAILURE TO COMMENCE MAKING PLAN PAYMENTS**

Comes now Richard V. Fink, Chapter 13 Trustee, and moves to dismiss and in support thereof states:

The debtor(s) has (have) failed to commence making timely plan payments pursuant to 11 U.S.C. Section 1326(a)(1). If debtor(s) fails to bring their plan payments substantially current, the plan would violate 11 U.S.C. Section 1307(c)(1).

Wherefore, the trustee moves the court for an order dismissing the above captioned case without prejudice.

Respectfully submitted,

/s/ Richard V. Fink, Trustee

Dated: December 6, 2005

Richard V. Fink, Trustee  
818 Grand Blvd., Ste. 800  
Kansas City, MO 64106-1901

**NOTICE OF MOTION**

**Any response to the motion must be filed within twenty (20) days of the date of this notice with the Clerk of the United States Bankruptcy Court.** Documents can be filed electronically at <http://ecf.mowb.uscourts.gov>. A copy of such response shall be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. If debtor's counsel is not registered for electronic filing, you must serve the response by mail. If a response is timely filed, the Court will either rule the matter based on the pleadings, or set the matter for a hearing. If a hearing is to be held, notice of such hearing will be sent to all parties in interest. **If no response is filed within twenty (20) days, this proceeding will be dismissed by separate order of the Court.** For information about electronic filing go to [www.mow.uscourts.gov](http://www.mow.uscourts.gov). If you have any questions about this document, contact your attorney.

**NOTICE OF SERVICE**

Appropriate parties will be served by the Chapter 13 Trustee's office either electronically or by mail.

CASTLE LAW OFFICE OF KC PC (#006000)

**/s/ Richard V. Fink, Trustee**